

U. S. DISTRICT COURT
DISTRICT OF MAINE
PORTLAND
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**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

CIVIL ACTION NO. 2:16-CV-426-JAW

**NATIONSTAR MORTGAGE, LLC,
Plaintiff**

V.

**WAYNE A. SAUNDERS and BOBBIE-JO
SAUNDERS,
Defendant**

And

**SNOW-FLAKE HOLDINGS f/k/a DOWNEAST)
ENERGY and MAIN STREET ACQUISITION)
CORP.,)
Parties-in-Interest)**

DEFENDANT WAYNE A. SAUNDER'S ANSWER TO PLAINTIFF'S COMPLAINT

(Title to Real Estate is Involved)

NOW COMES THE DEFENDANT in the above-entitled matter, Wayne A. Saunders, and respectfully ANSWERS Plaintiff's Complaint as follows:

- 1) No response is required for paragraph number 1.
- 2) No response is required for paragraph number 2.
- 3) No response is required for paragraph number 3.
- 4) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 4 and calls upon Plaintiff to prove same.
- 5) Defendant denies the allegations contained in paragraph number 5 and further states that Defendant Wayne A. Saunders resides at 5 Dove Street, Newburyport, MA 01950.
- 6) Defendant denies the allegations contained in paragraph number 6 and calls upon Plaintiff to prove same. Further, Defendant believes she resides at 57 Begin Terrace in Sabattus, Maine.
- 7) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 7 and calls upon Plaintiff to prove same.

- 8) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 8 and calls upon Plaintiff to prove same.
- 9) Defendant admits the allegations contained in paragraph number 9.
- 10) Defendant admits the allegations contained in paragraph number 10.
- 11) Defendant admits the allegations contained in paragraph number 11.
- 12) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 12 and calls upon Plaintiff to prove same.
- 13) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 13 and calls upon Plaintiff to prove same.
- 14) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 14 and calls upon Plaintiff to prove same.
- 15) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 15 and calls upon Plaintiff to prove same.
- 16) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 16 and calls upon Plaintiff to prove same.
- 17) Defendant admits the allegations contained in paragraph number 17.
- 18) The document referenced in paragraph 18 speaks for itself.
- 19) Defendant denies the allegations contained in paragraph 19 and calls upon Plaintiff to prove same.
- 20) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 20 and calls upon Plaintiff to prove same.
- 21) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 21 and calls upon Plaintiff to prove same.

22) Defendant denies the allegations contained in paragraph number 22 and calls upon Plaintiff to prove same.

23) Defendant admits the allegations contained in paragraph number 23.

COUNT I

24) Defendant repeats and realleges his answers to paragraphs 1 through 23 as if fully set forth herein.

25) No response is required for paragraph number 25.

26) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 26 and calls upon Plaintiff to prove same.

27) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 27 and calls upon Plaintiff to prove same.

28) Defendant denies the allegations contained in paragraph number 28 and calls upon Plaintiff to prove same.

29) Defendant denies the allegations contained in paragraph number 29 and calls upon Plaintiff to prove same.

30) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 30 and calls upon Plaintiff to prove same.

31) No response is required for paragraph number 31.

32) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 32 and calls upon Plaintiff to prove same.

33) Defendant admits the allegations contained in paragraph number 16.

COUNT II

- 34) Defendant repeats and realleges his answers to paragraphs 1 through 33 as if fully set forth herein.
- 35) Defendant admits the allegations contained in paragraph number 35.
- 36) Defendant denies the allegations contained in paragraph number 36 and calls upon Plaintiff to prove same.
- 37) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 37 and calls upon Plaintiff to prove same.
- 38) Defendant denies the allegations contained in paragraph number 38 and calls upon Plaintiff to prove same.
- 39) Defendant denies the allegations contained in paragraph number 39 and calls upon Plaintiff to prove same.
- 40) Defendant denies the allegations contained in paragraph number 40 and calls upon Plaintiff to prove same.
- 41) Defendant denies the allegations contained in paragraph number 41 and calls upon Plaintiff to prove same.
- 42) Defendant denies the allegations contained in paragraph number 42 and calls upon Plaintiff to prove same.

COUNT III

- 43) Defendant repeats and realleges his answers to paragraphs 1 through 42 as if fully set forth herein.
- 44) The document referenced in paragraph number 44 speaks for itself.

- 45) Defendant admits the allegations contained in paragraph number 37.
- 46) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 46 and calls upon Plaintiff to prove same.
- 47) Defendant denies the allegations contained in paragraph number 47 and calls upon Plaintiff to prove same.
- 48) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 48 and calls upon Plaintiff to prove same.
- 49) Defendant denies the allegations contained in paragraph number 49 and calls upon Plaintiff to prove same.
- 50) Defendant denies the allegations contained in paragraph number 50 and calls upon Plaintiff to prove same.
- 51) Defendant denies the allegations contained in paragraph number 51 and calls upon Plaintiff to prove same.
- 52) Defendant denies the allegations contained in paragraph number 52 and calls upon Plaintiff to prove same.
- 53) Defendant denies the allegations contained in paragraph number 53 and calls upon Plaintiff to prove same.
- 54) Defendant denies the allegations contained in paragraph number 54 and calls upon Plaintiff to prove same.

COUNT IV

- 55) Defendant repeats and realleges his answers to paragraphs 1 through 54 as if fully set forth herein.
- 56) Defendant admits the allegations contained in paragraph number 56.

- 57) Defendant denies the allegations contained in paragraph number 57 and calls upon Plaintiff to prove same.
- 58) Defendant denies the allegations contained in paragraph number 58 and calls upon Plaintiff to prove same.

COUNT V

- 59) Defendant repeats and realleges his answers to paragraphs 1 through 58 as if fully set forth herein.
- 60) Defendant admits the allegations contained in paragraph number 60.
- 61) Defendant is without sufficient knowledge to either admit or deny the allegations contained in paragraph number 61 and calls upon Plaintiff to prove same.
- 62) Defendant denies the allegations contained in paragraph number 62 and calls upon Plaintiff to prove same.
- 63) Defendant denies the allegations contained in paragraph number 63 and calls upon Plaintiff to prove same.

WHEREFORE, Defendant demands that Plaintiff's Complaint be dismissed without prejudice and assessment of costs.

AFFIRMATIVE DEFENSES

- 1) Plaintiff is not the owner of the Promissory Note and, therefore, lacks standing to bring this action.
- 2) Plaintiff is not the owner or investor of the underlying obligation and is therefore precluded from bringing this action.
- 3) Plaintiff has not complied with 14 M.R.S.A. §6111 and should be precluded from advancing this action.

- 4) Plaintiff has not complied with 14 M.R.S.A. §6321 and should be precluded from advancing this action.
- 5) Since the Promissory Note is negotiable, Defendant demands that the original Promissory Note be reviewed and verified as being the property of the Plaintiff as a condition precedent to the entry of any Plaintiff Judgment.

Respectfully Submitted,

11-8-2016
Dated

Wayne A. Saunders
Wayne A. Saunders, Pro Se Defendant
5Dove Street
Newburyport, MA 01950

CERTIFICATE OF SERVICE

I certify that I have, this day, served a copy of the foregoing document upon the following parties by mailing a copy of same via first-class, postage prepaid mail to:

- a) John A. Doonan, Esquire of Doonan, Graves & Longoria, LLC at 100 Cummings Center, #225D, Beverly, MA 01915;
- b) Snow Flake Holdings f/k/a Downeast Energy at 18 Spring Street, Brunswick, ME 04001;
- c) Main Street Acquisition Corp. at 2877 Paradise Rd., #303, Las Vegas, NV 89109; and
- d) Bobbie-Jo Saunders at 57 Begin Terrace, Sabattus, ME 04280.

Dated: 11-8-2016

Wayne A. Saunders
Wayne A. Saunders